

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Kevin Brathwaite,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-1542-GMS
)	
Marcello Rispoli et al.,)	
)	Trial by Jury Demanded
)	
Defendants.)	

7.1.1 CERTIFICATION OF COUNSEL

The counsel for the Defendants, Deputy Attorney General Ophelia M. Waters, files this certification in compliance with Rule 7.1.1 of the Local Rules of Civil Procedure and certifies that:

1. The plaintiff is an inmate incarcerated in the Delaware Correctional system, at the Delaware Correctional Center, ("DCC") Smyrna, Delaware.
2. Since the plaintiff is not able to be reached by telephone the counsel for the defendants has spent no time in attempting to reach an agreement on the subject of the motion for protective order.
3. She assumes that the motion is opposed.

**STATE OF DELAWARE
DEPARTMENT OF JUSTICE**

/s/ Ophelia M. Waters

Ophelia M. Waters, ID#3879

Deputy Attorney General

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Dated: February 8, 2007